

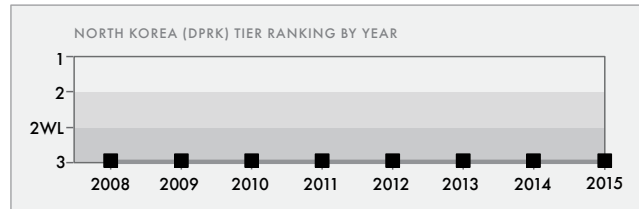
KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF: Tier 3

The Democratic People's Republic of Korea (DPRK or North Korea) is a source country for men, women, and children who are subjected to forced labor and sex trafficking. Forced labor is part of an established system of political repression. The government subjects its nationals to forced labor in prison camps in North Korea and through government-contracted labor in foreign countries. North Korea holds an estimated 80,000 to 120,000 prisoners in prison camps in remote areas of the country; in many cases these prisoners have not been prosecuted, convicted, or sentenced in a judicial proceeding. In prison camps, all prisoners, including children, are subject to forced labor, including logging, mining, or farming for long hours under harsh conditions. Prisoners are subjected to unhygienic living conditions, beatings, a lack of medical care, and insufficient food; many do not survive. Furnaces and mass graves are used to dispose of the bodies of those who die in these camps.

Some estimates place the number of laborers working abroad at 50,000 and other estimates give even higher numbers. This number is difficult to confirm because of the places where these workers are located. The largest numbers of such workers are sent to Russia and China. North Korean contract workers also perform labor in Africa, Central Europe, the Middle East, and Central Asia. Credible reports show many North Korean workers under these contracts perform labor under conditions indicative of forced labor, such as working excessively long hours in hazardous temperature with no pay for up to three years. North Korean government "minders" monitor workers' movements and communications; they also confiscate passports and require workers to spy on each other. Thousands of workers are estimated to be employed in logging, construction, mining, garment, and agriculture industries, where they reportedly have only two days of rest per year; work between 12 to 16 hours a day, and face punishments if they fail to meet production targets. North Koreans sent overseas do not have a choice in the work the government assigns them and are not free to change jobs. They face threats of government reprisals against them or their relatives in North Korea if they attempt to escape or complain to outside parties. Reports show up to 90 percent of workers' salaries are appropriated and controlled by the North Korean government, which claims various "voluntary" contributions to government endeavors. The Workers' Party, the ruling party in North Korea, sometimes requires workers to meet an unrealistic quota and threatens them if they fail to do so; this leads to workers working longer hours and seeking other jobs in the local community to meet the quota. Workers receive only a fraction of the money paid to the North Korean government for their labor; sometimes not until they return to the country.

The government's criminal justice system of harsh punishment through forced labor camps and its human rights abuses contribute to North Koreans being subjected to trafficking in neighboring China. Many of the North Korean women and girls who have fled and migrated illegally to China are especially vulnerable to trafficking, and traffickers reportedly lure, drug, detain, or kidnap some North Korean women upon their arrival. Others offer them jobs, but subsequently force the women into prostitution, domestic service, or agricultural work through forced marriages. According to one report, some women in the North Korean defector population are subjected to sexual slavery to Chinese or Korean-Chinese men, forced into prostitution in brothels or through internet sex sites, or compelled to serve as hostesses in nightclubs or karaoke bars. If found by Chinese authorities, victims are forcibly repatriated to North Korea where they are subjected to harsh punishment, possibly including forced labor in labor camps or the death penalty.

The Government of North Korea does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government did not demonstrate any efforts to address human trafficking through prosecution, protection, or prevention measures. The government participated in human trafficking through its use of domestic forced labor camps and its provision of forced labor to foreign governments through bilateral contracts. It also failed to protect victims of trafficking when they were forcibly repatriated from China or other countries.



RECOMMENDATIONS FOR THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA:

End the use of forced labor in prison camps and among North Korean workers abroad; end punishments for victims who are forcibly repatriated from destination countries; improve the social, political, economic, and human rights conditions that render North Koreans vulnerable to trafficking in North Korea and in neighboring countries; criminalize human trafficking and recognize it as a distinct crime from human smuggling; investigate and prosecute trafficking cases, and convict trafficking offenders; provide assistance to trafficking victims in North Korea and to North Koreans repatriated from abroad; forge partnerships with international organizations and NGOs to combat human trafficking; establish transparent bilateral work contracts used to deploy North Korean laborers to neighboring countries; work with the international community to allow North Koreans to receive fair wages, choose their form of work, and leave their employment at will; eliminate coercion tactics used to monitor the movements and communications of workers in forced labor; and become a party to the 2000 UN TIP Protocol.

PROSECUTION

The government made no known anti-trafficking law enforcement efforts. North Korea does not have laws that prohibit all forms of trafficking in persons. The government did not provide transparent law enforcement data, nor explain what provisions of North Korean law, if any, were used to prosecute trafficking offenses or protect victims. During the reporting period, there were no known investigations or prosecutions of trafficking offenses, or convictions of traffickers. The government did not report whether it provided any anti-trafficking training to its officials. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government made no efforts to protect trafficking victims, reporting no efforts to identify or assist victims. Government authorities failed to provide protective services to trafficking victims and did not permit NGOs to provide these services. The government did not exempt victims from being penalized for unlawful acts committed as a direct result of being subjected to trafficking, and there was no screening of forcibly repatriated North Koreans to ascertain if they were trafficking victims. North Koreans forcibly repatriated by Chinese authorities, including women believed to be trafficking victims, were sent to prison camps, where they were subjected to forced labor, and possible torture and sexual abuse by prison guards. North Korean defectors reported instances of the government executing trafficking victims who had been repatriated from China. Article 30 of the criminal code partially suspends civil rights of prison camp inmates; government officials used this provision to abuse victims in prison camps.

PREVENTION

The government made no efforts to prevent trafficking. Government oppression in North Korea prompted many North Koreans to flee the country in ways that made them vulnerable to trafficking in destination countries. The government made no efforts to raise awareness of trafficking, train government officials on trafficking, or screen migrants along the border for signs of trafficking. North Korean authorities made no discernible efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. North Korea is not a party to the 2000 UN TIP Protocol.